

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF FLORIDA
WEST PALM BEACH DIVISION

CASE NO.: 9:24-cv-80760-XXXX

DAVID A. PHILLIPS, JOSPEPH J. AZZATA,
JOSEPH T. AZZATA, and
other similarly situated individuals,

Plaintiff(s),

vs.

PRIME MEDICAL SUPPLIES, INC.,
a Florida Corporation, and,
LOUIS SITARAS, individually.
JLMS HOLDINGS, LLC, a Florida
Corporation, and SALVTORA LANTIERI,

PLAINTIFFS' INITIAL DISCLOSURES

In accordance with the Court's Order regarding initial disclosures and in accordance with Federal Rule of Civil Procedure 26(a)(1), Plaintiffs, DAVID A. PHILLIPS, JOSPEPH J. AZZATA, JOSEPH T. AZZATA, make the following disclosure of witnesses and documents based on the information currently and reasonably available to them:

I. RULE 26(a)(1)(A)(i): The name and, if known, the address and telephone number of each individual likely to have discoverable information – along with the subjects of that information – that the disclosing party may use to support its claims or defenses, unless the use would be solely for impeachment.

1. David Phillips
c/o Cole, Scott & Kissane, P.A.
9150 South Dadeland Blvd, Suite 1400
Miami, FL 33156

COLE, SCOTT & KISSANE, P.A.

COLE, SCOTT & KISSANE BUILDING - 9150 SOUTH DADELAND BOULEVARD - SUITE 1400 - P.O. BOX 569015 - MIAMI, FLORIDA 33256 - (305) 350-5300 - (305) 373-2294 FAX

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David Phillips will testify as to the terms and conditions of Plaintiff's Employment, relevant policies and procedures, hours worked, wages paid, and information supporting legal and factual position to Plaintiff's claims.

2. Joseph J. Azzata
c/o Cole, Scott & Kissane, P.A.
9150 South Dadeland Blvd, Suite1400
Miami, FL 33156

Joseph J. Azzata will testify as to the terms and conditions of Plaintiff's Employment, relevant policies and procedures, hours worked, wages paid, and information supporting legal and factual position to Plaintiff's claims.

3. Joseph T. Azzata
c/o Cole, Scott & Kissane, P.A.
9150 South Dadeland Blvd, Suite1400
Miami, FL 33156

Joseph T. Azzata will testify as to the terms and conditions of Plaintiff's Employment, relevant policies and procedures, hours worked, wages paid, and information supporting legal and factual position to Plaintiff's claims.

4. Corporate Representative of Prime Medical Supplies, Inc.
c/o Levine Kellogg Lehman Schneider + Grossman LLP
Miami Tower, 100 SE 2nd Street, 36th Floor,
Miami, Florida 33131

The Defendant's corporate representative will testify as to the terms and conditions of Plaintiffs' Employment, relevant policies, hours worked, wages paid, and procedures, and information supporting legal and factual defenses to Plaintiffs' claims.

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5. Louis Sitaras
c/o Levine Kellogg Lehman Schneider + Grossman LLP
Miami Tower, 100 SE 2nd Street, 36th Floor,
Miami, Florida 33131

The Defendant's corporate representative will testify as to the terms and conditions of Plaintiffs' Employment, relevant policies, hours worked, wages paid, and procedures, and information supporting legal and factual defenses to Plaintiffs' claims.

6. Corporate Representative of JLMS Holdings, LLC
600 N Congress Avenue
Suite 130
Delray Beach, FL 33445

The Defendant's corporate representative will testify as to the terms and conditions of Plaintiffs' Employment, relevant policies, hours worked, wages paid, and procedures, and information supporting legal and factual defenses to Plaintiffs' claims.

7. Salvatore Lantieri
600 N Congress Avenue
Suite 130
Delray Beach, FL 33445

The Defendant's corporate representative will testify as to the terms and conditions of Plaintiffs' Employment, relevant policies, hours worked, wages paid, and procedures, and information supporting legal and factual defenses to Plaintiffs' claims.

Plaintiffs reserve the right to amend or supplement this response.

II. Rule 26(a)(1)(A)(ii): A copy – or a description by category and location – of all documents, electronically stored information, and tangible things that the

disclosing party control and may use to support its claims or defenses, unless the use would be solely for impeachment.

Pursuant to Fed. R. Civ. P. 26(a)(1)(A)(ii), Defendant identifies the following categories of documents, electronically stored information (ESI), and tangible thing:

Category	Location
Yet to be determined	

Plaintiffs reserve the right to amend or supplement this response.

I. Rule 26(a)(1)(A)(iii): A computation of each category of damages claimed by the disclosing party – who must also make available for inspection and copying as under Rule 34 the documents or other evidentiary material, unless privileged or protected from disclosure, on which each computation is based, including materials bearing on the nature and extent of injuries suffered.

The Plaintiffs are seeking Actual damages, Liquidated damages, attorney's fees and costs. The computation of damages is available in the Plaintiffs' respective Statement of Claim. A summary of the damages is listed below:

David Phillips is seeking:

Actual damages in the amount of \$46,000.00.
Liquidated damages in the amount of \$48,800.00.
Attorney's fees and costs.

Joseph J. Azzata is seeking:

Actual damages in the amount of \$39,209.96.
Liquidated damages in the amount of \$45,556.08.
Attorney's fees and costs.

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Joseph T. Azzata is seeking:

Actual damages in the amount of \$12,820.11.

Liquidated damages in the amount of \$12,820.11.

Attorney's fees and costs.

II. Rule 26(a)(1)(A)(iv): For inspection and copying as under Rule 34 any insurance agreement under which any person carrying on an insurance business may be liable to satisfy part or all of a judgment which may be entered in the action or to indemnify or reimburse for payments made to satisfy the judgment.

None.

[certificate of service on next page]

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CERTIFICATE OF SERVICE

I HEREBY CERTIFY that on this 22nd day of October 2024, a true and correct copy of the foregoing has been furnished by electronic filing with the Clerk of the court via CM/ECF, which will send notice of electronic filing to all counsel of record.

COLE, SCOTT & KISSANE, P.A.
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By: /s/ **Steven L. Ehrlich**

STEVEN L. EHRLICH
Florida Bar No.: 91409
FRANKLIN A. JARA
Florida Bar No.: 636681